IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 20258 of 1998

Between:

1 R.Ramnadam, S/o. Muthyalu,
R/o. 1-79, Prabhathnagar,
Chaithanyapuri, Hyderabad., AEB 9175
2 R.Muthyalu, S/o. R.Kanakaiah,
R/o. 1-79, Prabhathnagar,
Chaithanyapuri, Hyderabad., ADB 396
3 R.Koteswar, s/o. R.Vishwanatham,
R/o. 16-2-147/48/7, Madannapet,
Hyderabad., ADT 8282
4 Smt. R.Sivaleela, W/o. R.Ramanadham,
R/o.1-79, Prabhathnagar,
Chaithanyapuri, Hyderabad., AP 28T 9954

..... PETITIONERS

AND

1 The Secretary, Regional Transport Authority,
Hyderabad East Zone, Hyderabad.
2 The Secretary, Regional Transport Authority,
R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other writ, order or direction, declaring that the action of the respondents insisting the gross vehicle weight of the vehicles of the petitioners bearing registration numbers as mentioned in the cause title as 15,240 kgs, as illegal, contrary to law and further hold that the said vehicles are entitled to be assigned a gross vehicle weight of 16,200 kgs, is in accordance with Sec. 58(4) and consequently direct the respondents herein to enter the gross vehicles weight of

16,200 kgs, in the registration certificates of the vehicles.

Counsel for the Petitioner: MR.D.KODANDAM

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, insisting the gross vehicle weight of the vehicles of the petitioners as 15,240 kgs as illegal and arbitrary and further, to declare that the petitioners are entitled to carry gross vehicle weight of 16,200 kgs in their goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the subject matter involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

In the circumstances, following the aforesaid judgment of the Apex Court, this writ petition is also dismissed for similar reasons. No order as to costs.

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08.04.2005

dr/tvk

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To

1 The Secretary, Regional Transport Authority,
Hyderabad East Zone, Hyderabad.
2 The Secretary, Regional Transport Authority,
R.R.District.

3 2 CCs to Government Pleader for Transport,

High Court Buildings, High Court of A.P., Hyderabad. (OUT)

4 2 CD copies

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